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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Schutt et al. )  
Serial No. : 09/218,213 )  
Filed : December 22, 1998 )  
For : Stabilized Preparations for )  
Use in Nebulizers )  
Examiner : Unknown )  
Group Art Unit : 1615 )

I hereby certify that this correspondence  
and all marked attachments are being  
deposited with the United States Postal  
Service as first class mail in an envelope  
addressed to: Commissioner of Patents and  
Trademarks, Washington, D.C. 20231, on

April 16, 1999

Christopher A. Dayton, Reg. No. 35114

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

APR 30 1999

GROUP 18

Sir:

Transmitted herewith is a Preliminary Amendment (7 pages) in the above-identified  
application. The fee has been calculated as shown below:

CLAIMS AS FILED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADD'L FEE
Total Claims	50	MINUS 20	=30 x	\$9	\$270.00
Independent Claims	5	MINUS 3	=2 x	\$39	\$78.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$348.00

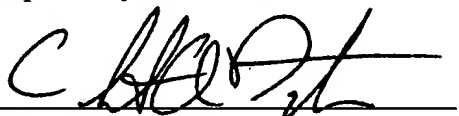
Appl. No. : 09/218,213  
Filed : December 22, 1998  
Transmittal, Page 2

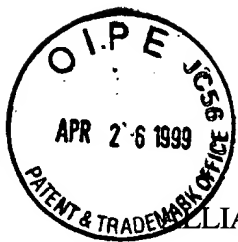
Enclosed are:

- (X) An Amendment (7 pages).
- (X) Please charge Deposit Account No. 01-1008 in the amount of \$348.00 for the additional claims fee.
- (X) If for some reason Applicant has not paid a sufficient fee for this response to prevent the abandonment of this application, please consider this authorization to charge our Deposit Account No. 01-1008 for any fee, which may be due. Similarly, please credit any overpayment to Deposit Account No. 01-1008. A duplicate copy of this sheet is enclosed.
- (X) A return postcard.

Dated: 4/16/99

Respectfully submitted,

  
\_\_\_\_\_  
Christopher A. Dayton  
Registration No. 35,114  
Attorney of Record.



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Christopher A. Dayton, Reg. No. 35,114

## PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Prior to examination, Applicants respectfully request that the above-referenced application be amended as follows:

### IN THE CLAIMS:

Please cancel pending claim 1 and insert therefor the following new claims 2-51:

2. A method for the pulmonary delivery of one or more bioactive agents comprising the steps of:
- providing a stabilized respiratory dispersion comprising one or more bioactive agents wherein the respiratory dispersion comprises a fluorochemical continuous phase;
- nebulizing said respiratory dispersion with a nebulizer to provide an aerosolized medicament; and

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02 FC:202 78.00 CH

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